IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/822,254

Applicant : Taremi et al.

Filed : April 9, 2004

TC/AU : 1656

Examiner : David J. Steadman

Docket No. : JB06017US01

Confirm No. : 1701

Schering-Plough Corporation Kenilworth, New Jersey 07033-0530

Mail Stop: Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF Sir:

This is in response to the Notification of Non-compliant Appeal Brief mailed January 29, 2009 in connection with the above-referenced application. A corrected Appeal Brief is enclosed. The corrected Brief addresses each issue raised. The headings in the Brief have been corrected; and, the Summary section tracks support for the independent claims on appeal to the specification.

Date.

Thomas Triolo, Ph.D., J.D. Registration No. 48,001

Attorney for Applicants/

Appellants

Schering-Plough Corporation Patent Department; K-6-1, 1990 2000 Galloping Hill Road Kenilworth, NJ 07033 908-298-2347